

118TH CONGRESS  
2D SESSION

# S. 4067

To provide for an annual report on the prosecution activities of the Coordinator for Caribbean Firearms Prosecutions of the Department of Justice.

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IN THE SENATE OF THE UNITED STATES

MARCH 22, 2024

Mr. MURPHY (for himself and Mr. KAINE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To provide for an annual report on the prosecution activities of the Coordinator for Caribbean Firearms Prosecutions of the Department of Justice.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLES.**

4 This Act may be cited as the “Caribbean Arms Traf-  
5 ficking Causing Harm Act” or the “CATCH Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) According to a 2023 joint report by the  
9 Caribbean Community Implementation Agency for  
10 Crime and Security and the Small Arms Survey, the

1 average number of violent deaths in the Caribbean  
2 is nearly triple the global average.

3 (2) According to the United Nations Office on  
4 Drugs and Crime, Caribbean countries accounted for  
5 6 of the world's top 10 highest national murder  
6 rates in 2021.

7 (3) Law enforcement officials in Haiti, Antigua  
8 and Barbuda, and Jamaica have identified Florida  
9 as a significant source of illicit firearms.

10 (4) According to the United Nations, Caribbean  
11 countries do not manufacture firearms or ammuni-  
12 tion, nor do they import such products on a large  
13 scale.

14 (5) According to Bahamian officials, more than  
15 90 percent of firearms used in homicides and con-  
16 fiscated by authorities in the Bahamas are traced to  
17 manufacturers and retailers in the United States.

18 (6) In 2022, the Department of Homeland Se-  
19 curity's Homeland Security Investigations reported  
20 observing a significant increase in the quantity, cal-  
21 iber and type of firearms being illegally trafficked to  
22 the Caribbean, including .50 caliber sniper rifles,  
23 .308 rifles, and a belt fed machine gun.

24 (7) According to a 2023 assessment by United  
25 Nations Office on Drugs and Crime, the flow of il-

1       licit firearms into Haiti enables violent gangs and  
2       contributes to forced displacement throughout the  
3       country.

4           (8) According to the Migration Policy Institute,  
5       there has been a dramatic increase in migration to  
6       the United States from Haiti in recent years, caused  
7       in part by widespread gang violence.

8           (9) On June 25, 2022, President Joe Biden  
9       signed the Bipartisan Safer Communities Act (Pub-  
10      lic Law 117–159) into law, which created Federal  
11      criminal offenses for firearm trafficking and granted  
12      the government new authorities to prosecute these  
13      offenses.

14          (10) On November 14, 2022, the Caribbean  
15      Community Implementation Agency for Crime and  
16      Security launched the Crime Gun Intelligence Unit,  
17      in partnership with United States law enforcement  
18      agencies.

19          (11) The Crime Gun Intelligence Unit, located  
20      in Trinidad and Tobago, provides intelligence for its  
21      member states regarding illicit firearms and ammu-  
22      nition.

23          (12) On June 8, 2023, Vice President Kamala  
24      Harris announced, “the Department of Justice will  
25      name a Coordinator for Caribbean Firearms Pros-

1 ecutions who will be an experienced Department of  
2 Justice prosecutor.”.

3 (13) On July 5, 2023, Secretary of State  
4 Antony Blinken announced that Michael Ben’Ary  
5 will serve as the Coordinator for Caribbean Firearms  
6 Prosecutions.

7 (14) As of October 31, 2023, the Department  
8 of Justice had prosecuted 207 defendants for fire-  
9 arms trafficking using authorities derived from the  
10 Bipartisan Safer Communities Act, including 80 de-  
11 fendants for making straw purchases.

12 **SEC. 3. PURPOSES.**

13 The purposes of this Act are—

14 (1) to combat illicit firearms trafficking from  
15 the United States to the Caribbean;

16 (2) to bolster the security of the Caribbean re-  
17 gion and the United States; and

18 (3) to increase oversight of the Coordinator for  
19 Caribbean Firearms Prosecutions of the Department  
20 of Justice.

21 **SEC. 4. DEFINED TERM.**

22 In this Act, the term “appropriate congressional com-  
23 mittees” means—

24 (1) the Committee on Foreign Relations of the  
25 Senate;

1           (2) the Committee on the Judiciary of the Sen-  
2       ate;

3           (3) the Committee on Homeland Security and  
4       Governmental Affairs of the Senate.

5           (4) the Committee on Foreign Affairs of the  
6       House of Representatives;

7           (5) the Committee on the Judiciary of the  
8       House of Representatives;

9           (6) the Committee on Homeland Security of the  
10      House of Representatives;

11 **SEC. 5. REPORT ON COORDINATOR FOR CARIBBEAN FIRE-**  
12 **ARMS PROSECUTIONS' ACTIVITIES.**

13       Not later than 90 days after the date of the enact-  
14      ment of this Act, and annually thereafter for the following  
15      5 years, the Attorney General, in coordination with the  
16      Department of State, and any other Federal agency des-  
17      ignated by the Attorney General, shall submit a report to  
18      the appropriate congressional committees that includes—

19           (1) a comprehensive review of the enforcement  
20           of sections 932 and 933 of title 18, United States  
21           Code, by the Coordinator for Caribbean Firearms  
22           Prosecutions of the Department of Justice; and

23           (2) specifies—

24                   (A) the total number of investigations and  
25                   prosecutions launched by the Coordinator for

1 Caribbean Firearms Prosecutions,  
2 disaggregated by—

3 (i) the judicial district involved;

4 (ii) the alleged destination of the fire-  
5 arm, ammunition, and firearm accessories;

6 (iii) the number and types of firearms,  
7 ammunition, and firearm accessories, to  
8 the extent such information is available;  
9 and

10 (iv) the method of transportation of  
11 the firearm, ammunition, and firearm ac-  
12 cessories, to the extent such information is  
13 available;

14 (B) coordination efforts with the Depart-  
15 ment of State, the Department of Homeland  
16 Security, and other Federal, State, and local  
17 law enforcement agencies;

18 (C) coordination efforts with the Caribbean  
19 Community's Crime Gun Intelligence Unit, and  
20 any other regional or international organiza-  
21 tions designated by the Secretary of State.

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